

Message Text

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ACTION DLOS-04

INFO OCT-01 EUR-12 NEA-10 ISO-00 ACDA-05 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01

TRSE-00 H-02 INR-07 INT-05 IO-10 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

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FM AMEMBASSY ALGIERS

TO SECSTATE WASHDC 3515

INFO AMEMBASSY MADRID

C O N F I D E N T I A L ALGIERS 3604

E.O. 11652: GDS

TAGS: PLOS, AG, SP

SUBJ: LOS: ALGERIAN CONCERN RE ECONOMIC ZONES AROUND ISLANDS

REF: STATE 276838 (NOTAL)

1. EMBOFF CALLED ON HOCINE MESLOUB, LOS EXPERT IN ALGERIAN FOREIGN MINISTRY TREATY AND LEGAL AFFAIRS DIVISION, AND MADE REFTEL'S POINTS ON ECONOMIC ZONES AROUND ISLANDS. MESLOUB COMMENTED AS FOLLOWS:

A. GOA FINDS ARTICLES 61 AND 132 OF COMMITTEE II SINGLE NEGOTIATING TEXT SOMEWHAT CONTRADICTORY. FORMER INDICATES THAT ISSUES BETWEEN ADJACENT AND OPPOSITE STATES, INCLUDING ISLAND QUESTIONS IN GOA'S VIEW, TO BE SETTLED BY PRINCIPLES OF EQUITY. ARTICLE 132, ON OTHER HAND, INDICATES THAT ISLANDS OTHER THAN UNINHABITED ROCKS SHOULD ENJOY SAME ECONOMIC ZONE RIGHTS AS OTHER LAND TERRITORY.

B. GOA RECOGNIZES IMPOSSIBILITY OF STATING IN LOS TREATY THAT ISLANDS DO NOT HAVE SAME ECONOMIC ZONE RIGHTS AS OTHER LAND TERRITORY. IMPOSSIBLE FOR PARTICULAR STATE TO TELL

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INHABITANTS OF ISLANDS UNDER ITS SOVEREIGNTY THAT THEIR RIGHTS

LESS THAN THOSE OF MAINLANDERS.

C. BEST WAY TO SOLVE PROBLEM, IN GOA'S VIEW, WOULD BE TO EXPAND ARTICLE 61 TO INDICATE SPECIFICALLY THAT PRINCIPLES OF EQUITY WOULD APPLY TO ISLANDS AND THAT IN SOME CASES IT WOULD BE NECESSARY TO DETERMINE ISLANDS' ECONOMIC ZONES BY DELIMITING THEM IN BILATERAL NEGOTIATIONS. SUCH WOULD BE CASE WITH RESPECT TO BALEARIC ISLANDS.

D. IDEALLY, GOA WOULD LIKE ARTICLE 132 DROPPED FROM SINGLE NEGOTIATING TEXT. HOWEVER, ALGERIANS RECOGNIZE LEGITIMATE INTERESTS OF STATES WITH ISLAND POPULATIONS. THUS, GOA BELIEVES ARTICLE 132 SHOULD ALSO BE EXPANDED TO INDICATE THAT IN SOME INSTANCES BILATERAL DELIMITATION NEGOTIATIONS WOULD BE NECESSARY TO DETERMINE ECONOMIC ZONES OF PARTICULAR ISLANDS.

E. GOA HAD SOUNDED OUT SPAIN ON POSSIBILITY OF DELIMITING BALEARIC ISLANDS' ECONOMIC ZONE. SPANISH HAD INDICATED WILLINGNESS TO DISCUSS MATTER.

F. WHILE ALGERIA NOT ONE OF 52 STATES WHICH FORMALLY OPPOSE ECONOMIC ZONE CONCEPT, GOA WOULD BE HAPPIER IF SUCH CONCEPT DID NOT EXIST.

2. MESLOUB DID NOT HAVE OTHER ISSUES TO DISCUSS. HE INDICATED, HOWEVER, THAT ALGERIANS WERE GOING OVER SINGLE NEGOTIATING TEXTS AND SAID HE WOULD BE IN TOUCH IF HE OR HIS COLLEAGUES HAD QUESTIONS TO PUT TO US OR MATTERS WHICH NEEDED DISCUSSION.
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